

**UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF MISSISSIPPI**

In re: Maritime Communications/Land Mobile, LLC

Debtor(s)

Case no. 11-13463  
Chapter 11

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**UST'S RESPONSE TO THE DEBTOR'S EMERGENCY MOTION  
TO AUTHORIZE FINANCING PURSUANT TO 11 U.S.C. § 364**

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Comes now the Acting United States Trustee for Region 5, Henry G. Hobbs, Jr. and files this response to the Debtor's Emergency Motion to Authorize Financing Pursuant to 11 U.S.C. § 364 [DKT. 28] and in support thereof will show unto the court as follows, to-wit:

I.

Any super priority administrative expense claim should not take priority over the payment of U.S. Trustee fees.<sup>1</sup>

II.

Such relief, as requested pursuant to 11 U.S.C. § 364, should only be provided to such extent as is necessary to avoid immediate and irreparable harm to the estate pending a final hearing on this matter, consistent with Rule 4001 (c)(2) of the Federal Rules of Bankruptcy Procedure. The debtor's budget, as referenced in Exhibit B, does not sufficiently explain some of the expenses itemized as necessary and immediate.

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<sup>1</sup>The debtor's monthly budget, referenced as Exhibit B, does not provide for the payment of UST fees.

III.

Furthermore, the debtor does not sufficiently provide the relationship between the debtor and the proposed lender, Southeastern Commercial Finance, LLC. Although the debtor provides this is an arms length transaction, the debtor does not provide that the lender is not an insider as defined by 11 U.S.C. § 101(31).

WHEREFORE, PREMISES CONSIDERED, the United States Trustee submits this response to the Debtor's Emergency Motion to Authorize Financing Pursuant to 11 U.S.C. § 364 [DKT. 28] and prays that the court will enter an order sustaining this objection. The United States Trustee prays for general relief to which entitled in these premises.

Respectfully submitted,

Henry G. Hobbs, Jr.  
Acting United States Trustee  
Region 5, Judicial Districts of  
Louisiana and Mississippi

by: /s/ Sammye S. Tharp  
Sammye S. Tharp  
Trial Attorney

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**CERTIFICATE OF SERVICE**

I, Sammye S. Tharp, do hereby certify that a true and exact copy of the foregoing response has been tendered to the individual(s) listed below by U. S. Mail, postage prepaid, and/or CM/ECF this the 7th day of September 2011.

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/s/ Sammye S. Tharp

Sammye S. Tharp